

July 2, 1999

**MEMORANDUM**

SUBJECT: Implications of the Court Decision on Emission Inventory Guidance

FROM: J. David Mobley, Acting Director  
Emissions, Monitoring and Analysis Division

TO: Addressees

On May 13, 1999, the Environmental Protection Agency (EPA) issued its final version of the document titled, "Emission Inventory Guidance for Implementation of Ozone and Particulate Matter National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations." On May 14, 1999, the U.S. Circuit Court of Appeals for the District of Columbia issued a ruling that remanded the ozone and particulate matter standard and, also called into question what actions, if any, may be taken to implement the new standards. The purpose of this memorandum is to clarify what States should do in the context of applying the emission inventory guidance.

The EPA believes that the majority of this guidance covers activities that are allowable by the Court's ruling. The development of Statewide emission inventories, as detailed within this guidance, is necessary to address regional issues, irrespective of the final determination on the actual National Ambient Air Quality Standards. However, in light of the Court's ruling, the references to scheduling associated with SIP submittals contained in Section 2.3 are no longer appropriate. The guidance does call for development of emission inventories for ozone and particulate matter and their precursors. Since these are criteria pollutants and are key components of regional haze, development of emission inventories is still deemed to be appropriate including the statewide periodic emission inventories for calendar year 1999. Thus, I think it is appropriate for the Regions and State/local agencies to: (1) discuss plans for developing emission inventories for 1999; (2) identify appropriate future actions, programs and associated milestones regarding emission inventories; and (3) identify specific issues which need resolution prior to making progression emission inventories.

As the Agency progresses with its deliberations, we will provide more information on schedules and requirements. Furthermore, we plan to do this before significant efforts by the States will be required. Therefore, we recommend that you distribute this guidance to your States and discuss with them the inventory development actions that are appropriate.

If there are any questions in this regard or if there are issues requiring our involvement, please contact me or Bill Kuykendal at 919-541-5372.

Addressees:

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